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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-THIRD SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Ms. Margarita ESCOBAR LOPEZ

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* Documents E/CN.4/1997/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1997/L.11 and addenda.

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XXIV. INDIGENOUS ISSUES

1. The Commission considered agenda item 24 at its 31st to 34th meetings, from 1 to 2 April, and at its 57th and 58th meetings, on 11 April 1997. 1/

2. For the documents issued under agenda item 24, see annex .. to the present report. For a list of resolutions and decisions adopted by the Commission, see annex .. to the present report.

3. At the 31st meeting, on 1 April 1997, the Chairperson-Rapporteur of the working group established in accordance with Commission on Human Rights resolution 1995/32 of 3 March 1995, Mr. José Urrutia, introduced the report of the working group (E/CN.4/1997/102).

4. In the general debate on agenda item 24, statements 2/ were made by the following members of the Commission: Argentina (33rd), Bangladesh (32nd), Brazil (33rd), Canada (33rd), Chile (32nd), China (32nd), Denmark (on behalf of the Nordic Countries)(31st), Malaysia (32nd), Mexico (33rd), Nicaragua (33rd), Russian Federation (32nd), Ukraine (31st),

5. The Commission heard statements by the observers for: Australia (32nd), Estonia (32nd), New Zealand (32nd), Peru (32nd), Spain (32nd). The observer for Switzerland also made a statement (32nd).

6. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (32nd), Anti-Slavery International (34th), Asian Cultural Forum on Development (32nd), Centro de Estudios Europeos (34th), Commission of the Churches on International Affairs of the World Council of Churches (32nd), International Federation of Rural Adult Catholic Movements (32nd), Indian Law Resource Center (32nd), Indigenous World Association (32nd), International Association of Educators for World Peace (33rd), International Educational Development, Inc. (33rd), International Indian Treaty Council (34th), International League for Human Rights (32nd), International League for the Rights and Liberation of Peoples (32nd), International Organization for the Development of Freedom of Education (32nd), International Organization of Indigenous Resource Development (32nd), International Work Group for Indigenous Affairs (32nd), Inuit Circumpolar Conference (32nd), Liberation (33rd), Pax Christi International (33rd), Permanent Assembly for Human Rights (32nd), Saami Council (33rd), Society for Threatened Peoples (33rd), United Towns Agency for North-South Cooperation (34th), War Resisters' International (34th).

7. Statements in exercise of the right of reply or its equivalent were made by the representative of the Philippines and the observer for Thailand (34th).

8. At the 57th and 58th meetings, on 11 April 1997, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 24.

A permanent forum for indigenous people in the United Nations system

9. At the 57th meeting, on 11 April 1997, the representative of Denmark introduced draft resolution E/CN.4/1997/L.63, sponsored by Argentina, Belgium, Benin, Bolivia, Canada, Chile, Colombia, Cyprus, Denmark, Dominican Republic, El Salvador, Estonia, Finland, Greece, Guatemala, Honduras, Iceland, Latvia, Mexico, Nepal, the Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal, the Russian Federation, Spain, Sweden, Switzerland, Ukraine, Uruguay and Venezuela. Costa Rica, Ecuador and Equatorial Guinea subsequently joined the sponsors.

10. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

11. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/30.

12. In view of the adoption of resolution 1997/30, the Commission took no action on draft decision 9 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. I, sect. B).

Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

13. The representative of Canada introduced draft resolution E/CN.4/1997/L.70, sponsored by Australia, Bolivia, Brazil, Canada, Chile, Cyprus, Denmark, Finland, Greece, Guatemala, Mexico, New Zealand, Nicaragua, Norway, Peru, Sweden and Switzerland. Argentina, Ecuador, Estonia and the United States of America subsequently joined the sponsors.

14. A statement in connection with the draft resolution was made by the representative of the United States of America.

15. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

16. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resclution 1997/31.

Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the International Decade of the World's Indigenous People

17. The observer for New Zealand introduced draft resolution E/CN.4/1997/L.77, sponsored by Australia, Bolivia, Canada, Chile, Colombia, Denmark, Estonia, Finland, Greece, Guatemala, Honduras, Mexico, New Zealand, Nicaragua, Norway, Peru, Spain, Sweden and Switzerland. Argentina, Brazil, the Philippines and the Russian Federation subsequently joined the sponsors.

18. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

19. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/32.

20. In view of the adoption of resolution 1997/32, the Commission took no action on draft decisions 7 and 8 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. I, sect. B).

Protection of the heritage of indigenous people

21. The Commission considered draft decision 10, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. I, sect. B).

22. The Chairman amended the draft decision by deleting the following sentence: "The Commission requests the Secretary-General to convene, at the earliest possible opportunity, a technical meeting of representatives of the World Intellectual Property Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme, the United Nations Development Programme, the Food and Agriculture Organization of the United Nations and the World Trade Organization with the

Special Rapporteur to consider how they can contribute to her work in this field, and to transmit the report of this meeting to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights."

23. The draft decision, as amended, was adopted without a vote, For the text of the decision, as adopted, see chapter II, section B, decision 1997/..

Study on treaties, agreements and other constructive arrangements between States and indigenous populations

24. The Commission considered draft decision 12, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. I, sect. B).

25. The draft decision was adopted without a vote, For the text of the decision as adopted, see chapter II, section B, decision 1997/..

Study on indigenous land rights

26. At the 58th meeting, on 11 April 1997, the observer for Cyprus introduced draft decision E/CN.4/1997/L.98, sponsored by Bolivia, Cameroon, Cyprus, Ethiopia, Georgia, Greece, Pakistan and the Russian Federation, Canada, Chile, Guatemala and Peru subsequently joined the sponsors.

27. A statement in connection with the draft resolution was made by the observer for New Zealand.

28. The draft decision was adopted without a vote. Statements in explanation of vote after the vote were made by the representatives of Japan and the Netherlands.

29. For the text of the decision as adopted, see chapter II, section B, decision 1997/..

30. In view of the adoption of decision 1997/.., the Commission took no action on draft decision 11, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. I, sect. B).